

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD AND APPARATUS FOR UTILITY-BASED  
DYNAMIC RESOURCE ALLOCATION  
IN A DISTRIBUTED COMPUTING SYSTEM**

the specification of which (check one)

is attached hereto.

— was filed on \_\_\_\_\_ as United States Application Number \_\_\_\_\_

or PCT International Application Number \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application, having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

			Priority Claimed
(Number)	(Country)	(Day/Month/Year Filed)	Yes <input type="checkbox"/> No <input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	Yes <input type="checkbox"/> No <input type="checkbox"/>
(Number)	(Country)	(Day/Month/Year Filed)	Yes <input type="checkbox"/> No <input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

(Application Number)	(Filing Date)
(Application Number)	(Filing Date)

I hereby claim the benefit under 35 U.S.C. §120 of any United States Application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States, PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose information material to the patentability of this application as defined in 37 CFR §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

10/686,216 (Application Serial No.)	October 15, 2003 (Filing Date)	Pending (Status) (patented, pending, abandoned)
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** As a named inventor I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number).

Richard M. Ludwin (Reg. 33,010), Kevin M. Jordan (Reg. 40,277), Christopher A. Hughes (Reg. 26,914), John E. Hoel (Reg. 26,279), Joseph C. Redmond, Jr. (Reg. 18,753), Douglas W. Cameron (Reg. 31,596), Wan Yee Cheung (Reg. 42,410), Thu Ann Dang (Reg. 41,544), Louis P. Herzberg (Reg. 41,500), Derek S. Jennings (Reg. 41,473), Stephen C. Kaufman (Reg. 29,551), Daniel P. Morris (Reg. 32,053), Alis n D. Mortinger (Reg. 39,306), Louis J. Percell (Reg. 33,206), Robert M. Trepp (Reg. 25,933), Rafael Perez-Pinciro (Reg. 46,041), Marian Underweiser (Reg. No. 46,134) and Gail H. Zarick (Reg. 43,303).

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

Send Correspondence to:

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Full name of sole or first inventor: RAJARSHI DAS

Inventor's Signature: Rajarshi Das

Date: 29 January 2004

Residence: 714-1 Pelhamdale Avenue, New Rochelle, NY 10801

Citizenship: India

Post Office Address: Same as above

Full name of second inventor: JEFFREY OWEN KEPHART

Inventor's Signature: Jeffrey Owen Kephart

Date: 29 January 2004

Residence: 14 Roberts Drive, Cortlandt Manor, NY 10567

Citizenship: USA

Post Office Address: Same as above

Full name of third inventor: GERALD JAMES TESAURO

Inventor's Signature: Gerald James Tesauro

Date: 29 Jan. 2004

Residence: 9 Dove Court, Apt. D, Croton-on-Hudson, NY 10520

Citizenship: USA

Post Office Address: Same as above

Full name of fourth inventor: WILLIAM EDWARD WALSH

Inventor's Signature: WE Walsh

Date: 29 Jan 2004

Residence: 505 West 54<sup>th</sup> Street, Apt. 911, New York, NY 10019

Citizenship: USA

Post Office Address: Same as above

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicant(s): DAS, et al Docket: Y0R920040007US1  
Serial No.: To Be Assigned Examiner: Unknown  
Filed: Herewith Group Art Unit: Unknown  
Title: METHOD AND APPARATUS FOR UTILITY-BASED  
DYNAMIC RESOURCE ALLOCATION IN A  
DISTRIBUTED COMPUTING SYSTEM

ASSOCIATE POWER OF ATTORNEY

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

I hereby appoint the attorneys associated with Customer No. 26,291 as associate attorneys in the aforementioned application, with full power to prosecute said application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected with the prosecution of said application.

Dated: January 29, 2004

Gail H. Zarick  
Gail H. Zarick, Reg. No. 43,303  
Attorney for Applicant